

**STATE OF SOUTH CAROLINA
DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT**

ALL COASTAL COUNTIES

(Jasper, Beaufort, Colleton, Charleston, Dorchester, Berkeley, Georgetown and Horry)

**EMERGENCY ORDER
RETURNING SAND TO THE BEACH
18-EO-HF5**

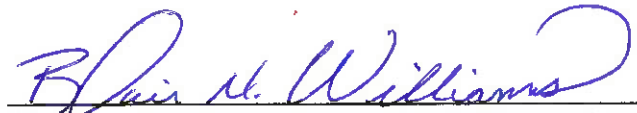
The South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management (the Department), an agency of the State of South Carolina, organized and existing under the authority of the South Carolina Coastal Zone Management Act, S.C. Code Ann. §48-39-10 *et seq.*, finds that emergency conditions are imminent in anticipation of the passing of Hurricane Florence beginning on September 12, 2018, on beaches facing the Atlantic Ocean in the State of South Carolina and therefore located within the "critical area" jurisdiction of the Department. These conditions may expose and create an imminent threat to the existing habitable structures and critical infrastructure on front beach properties.

The Department finds that this imminent threat constitutes temporary emergency conditions that are likely to endanger the health, safety, welfare, and resources of residents of the coastal zone as well as the general population of the State of South Carolina. Accordingly, the Department, pursuant to the authority of S.C. Code Ann. §48-39-130(D)(1), hereby issues an Emergency Order to allow the owners of front beach properties, whose lands and buildings abut the Atlantic Ocean, to return sand that has washed onto highland back onto the beach, in those areas of the beach impacted by the hurricane. The local government with jurisdiction over the site must be notified of the activity.

This Emergency Order, 18-EO-HF5, will expire on November 12, 2018 (60 days from the date of this Order). Pursuant to S.C. Code Ann. §48-39-130(D)(1), property owners may request an individual emergency order from the Department if an emergency persists.

Specifically, all work must conform to the following requirements:

1. Sand that is being returned to the beach must be clean and free of any debris.
2. Sea turtle nesting season officially extends from May 15 to October 31. Anyone working on the beach under this order is advised to exercise extreme care to insure there are no impacts to this endangered species.
3. The contractors performing work under this Emergency Order shall be in direct contact with the S.C. Department of Natural Resources (DNR) Marine Turtle Conservation Program (MTCP) representative. Daily, early surveys of the beach are performed to document turtle nesting activity and MTCP1 representative shall be consulted each morning prior to any work being performed on the beach. In the event a nest is disturbed during construction and/or sea turtle adult is encountered, all work should cease and the DNR MTCP should be contacted immediately. The MTCP contact is Michelle Pate who can be reached at 843-953-9052 (office) or PateS@dnr.sc.gov.
4. This authorization does not relieve the property owner from the requirements of obtaining a permit from the U.S. Army Corps of Engineers or any other applicable federal agency, nor from the necessity of complying with all applicable local laws, ordinances, and zoning regulations.


Blair N. Williams, Manager, Critical Area Permitting
Office of Ocean and Coastal Resource Management
SC Department of Health and Environmental Control

September 11, 2018
Date